REMARKS

Herein, the "Action" or "Office Action" refers to the Office Action dated May 8, 2003, relating to the priority application.

No claims are amended. No new claims are added. No claims are cancelled.

Claims 1-5 are pending for consideration. Applicant respectfully requests that the Examiner consider the subject application.

35 U.S.C. § 103

In the priority application, claims 1 and 2 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,878,319 to Itoh (hereinafter, "Itoh") in view of U.S. Patent No. 5,971,388 to Hattori (hereinafter, "Hattori").

In the priority application, claims 3 and 4 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Itoh in view of Hattori in further view of U.S. Patent No. 5,441,247 to Qualliam.

In the priority application, claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Itoh in view of Hattori in further view of U.S. Patent No. 4,791,451 to Hirose.

Claims 1-5

Claim 1 recites an image scanner comprising [emphasis added]:

- a single contact glass disposed on a main body, the contact glass having a first range through which a first original document is passed to be scanned, and a second range over which a second original document is positioned to be scanned, the second range including the first range;
- an image sensor scanning the first original document at a fixed position in the first range and scanning the second original document while the image sensor moves through the second range;
- an automatic document feeder arranged on the main body covering the contact glass and being openable to expose the contact glass, the automatic document feeder conveying the first original document through a feed path to the fixed position and

ejecting the first original document through an ejecting path from the fixed position; and

- a detector adapted ***to detect when the automatic document feeder is opened and to detect a leading edge*** of the first original document whenever a document page is conveyed along the feed path to the first fixed position.

In the Office Action, the Office stated that Itoh does not teach of a detector adapted ***to detect when the automatic document feeder is opened and to detect a leading edge*** of the first original document whenever a document page is conveyed along the feed path to the first fixed position. Applicant agrees. The Office then stated that Hattori teaches of "a detector 18 that detects when the document cover is opened and when a leading edge has been detected." Applicant respectfully disagrees and traverses the rejection.

Hattori teaches an automatic original document feeding device which can shorten a length of time required for refeeding sheets of the original document after a jamming of a sheet of the original document is cleared. Hattori's automatic original document feeding device contains multiple sensors. The sensor that the Office referenced is described in column 3, lines 48-58, and that excerpt is reproduced below:

> Further, a register sensor 18 monitors the feeding path 11 ***to detect forward and rear ends of the sheets of the original document P*** and to output a signal to the controller 17 based on this detection. The controller 17 is constructed to output in a conventional manner a signal to the copying machine 2 based on the signal from the register sensor 18, and the copying machine 2 controls an exposure device and the copying operation based on such. The signal is utilized to synchronize the automatic feeding operation with the scanning performed by the copying machine 2.

Hattori neither discloses nor suggests that register sensor 18 is adapted to detect a leading edge of the original document ***and*** to detect when the automatic document feeder is opened. In fact, in the next paragraph of its disclosure, Hattori describes a ***different*** component, microswitch 20, that detects whether a side cover is opened or closed. That excerpt, at column 3, line 67, through column 4, line 4, is reproduced below:

> There is a microswitch 20 which ***detects whether the side cover 19 is opened or closed.*** This switch 20 is turned on and off depending on whether the side cover 19 is opened or closed and outputs a signal to the controller 17 based on the detected position of the side cover 19.

As is apparent from these two excerpts, Hattori does not teach or suggest a detector adapted ***to detect when the automatic document feeder is opened and to detect a leading edge*** of the first original document whenever a document page is conveyed along the feed path to the first fixed position. In fact, Hattori teaches ***directly away*** from Applicant's claimed subject matter by specifically requiring ***multiple*** components rather than one detector that performs both functions. For at least this reason, this claim is allowable.

Claims 2-5 depend either directly or indirectly from claim 1 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 1, are neither disclosed nor taught by the references of record, either singly or in combination with one another. Further, given the allowability of these claims, the addition of the Qualliam and Hirose references in the rejection of claims 3-4 and 5, respectively, is not seen to add anything of significance.

Conclusion

Claims 1-5 are in condition for allowance. Accordingly, Applicant requests a Notice of Allowability be issued forthwith. If the Office's next anticipated action is to be anything other than issuance of a Notice of Allowability, Applicant respectfully requests a telephone call for the purpose of scheduling an interview.

Respectfully submitted,

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By: _____

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